



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

APR 15 2005

Technology Center 2100

LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE WA 99201

In re Application of: SAUVE ET AL.
Application No. 10/779,925
Filed: FEBRUARY 17, 2004
For: USER INTERFACE ACCORDED TO
TIERED OBJECT-RELATED TRUST
DECISIONS

DECISION ON PETITION
FOR ACCELERATED
EXAMINATION UNDER
M.P.E.P. § 708.02(VIII) & 37 C.F.R. 102(d)

This is a decision on the petition filed January 10, 2005 under 37 C.F.R. 102(d) and M.P.E.P. § 708.02(VIII): Accelerated Examination, to make the above-identified application special.

The Petition is **DISMISSED**.

M.P.E.P. § 708.02, Section VIII which sets out the prerequisites for a grantable petition for Accelerated Examination under 37 C.F.R. § 102(d) states in relevant part:

A new application (one which has not received any examination by the examiner) may be granted special status provided that applicant (and this term includes applicant's attorney or agent) complies with each of the following items:

- (a) Submits a petition to make special accompanied by the fee set forth in 37 CFR 1.17(h);
- (b) Presents all claims directed to a single invention, or if the Office determines that all the claims presented are not obviously directed to a single invention, will make an election without traverse as a prerequisite to the grant of special status;
- (c) Submits a statement(s) that a pre-examination search was made, listing the field of search by class and subclass, publication, Chemical Abstracts, foreign patents, etc. The pre-examination search must be directed to the invention as claimed in the application for which special status is requested. A search made by a foreign patent office satisfies this requirement;
- (d) Submits one copy each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record; and

- (e) Submits a detailed discussion of the references, which discussion points out, with the particularity required by 37 CFR 1.111 (b) and (c), how the claimed subject matter is patentable over the references.

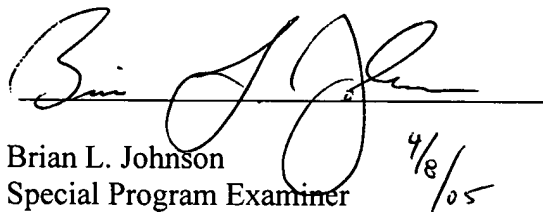
The petition filed January 10, 2005 fails to adequately meet requirements (b) and (e) of the criteria set forth above. As per requirement (b), the has omitted the statement that "if the Office determines that all the claims presented are not obviously directed to a single invention, will make an election without traverse as a prerequisite to the grant of special status". With respect to requirement (e), applicant must point out how the claimed subject matter is patentable over the references. The application has independent claims 1, 5, 11, and 21. The statement of the features missing from the cited references should not reference the entire claim. The applicant provides no discussion of the specific features missing from each reference and merely list all of the claims and provides no indication of which specific feature is not taught by each of the references deemed to be most closely related. The applicant should also note that the present application is currently classified in Class/Subclass 715/808 and no search has been made in that area (directed toward the invention, see requirement (c) above).

The submission does not satisfy the requirement, as it does not provide a **detailed discussion** of the references and it does not point out how the **claimed subject matter is patentable over the references**. Petitioner should ensure that the above discussion is directed to how the language of **each** of the independent claims is specifically distinguishable and patentable from the references provided in requirement (d) above.

Petition to Make Special **DISMISSED**; since, all of the requirements for special status under MPEP § 708.02(VIII) have not been met.

Petitioner is given one month to perfect the petition. Any request for reconsideration must be filed within TWO MONTHS of the mail date of this decision.

Until the renewed petition is submitted, the application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination.



Brian L. Johnson
Special Program Examiner
Technology Center 2100
Computer Architecture, Software and Information Security
571-272-3595

JC